

# REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 9, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 22, "An Act to amend Article 5238, of Title 84, Revised Civil Statutes of the State of Texas, 1925, relating to landlord's liens, extending the lien to include all property of any subtenant of the tenant in such residence, storehouse, or other building; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

## SIXTY-SECOND DAY

(Continued)

(Wednesday, May 10, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

(Mr. Puryear in the Chair.)

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 256. The following have been appointed on the part of the Senate: Senators Greer, Holbrook, Sanderford, Duggan, Pace.

The Senate has adopted conference committee report on House Concurrent Resolution No. 71 by the following vote: Yeas, 30; nays, 0.

The Senate has adopted

S. C. R. No. 62, Requesting the Governor to return House Joint Resolution No. 14 to the Senate for further consideration.

The Senate has passed

S. B. No. 259, A bill to be entitled "An Act authorizing the governing boards of the Agricultural and Mechanical College of Texas including the State Agricultural Experiment Station System, and the Extension Service and Rodent Control Service, North Texas Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, The University of Texas including all branches of the University and the College of Mines and Metallurgy at El Paso, College of Industrial Arts, Texas College of Arts and Industries, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College at Nacogdoches, Southwest Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine, and the West Texas State Teachers College at Canyon to retain control of fees and other local institutional income collected at said schools; defining such fees and local institutional income; providing for depository banks, where said funds shall be deposited; providing for security for such deposits and the manner of making such deposits; providing for interest on said deposits; providing for terms of surety bonds furnished to secure such deposits and fixing the venue of suits to recover thereon; providing for separate accounts, showing the source of local fees collected and the purposes for which expended; providing for the handling of trust funds by said schools; providing for the printing of biennial reports showing all receipts and expenditures and for furnishing of said reports to certain State officers and Members of certain committees of the Legislature; providing that the provisions of this Act shall not apply to income from the University Permanent Fund, from inspection tax on feeding stuffs, and income from State forestry lands, or other income from inspection fees or service charges derived from the carrying out of governmental functions not educational in nature; providing for appropriation for said funds by the Legislature; providing

penalties for violation of this Act; providing that if any part of this Act be held unconstitutional, said holding shall not affect the validity of the remainder of the Act, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### MOTION TO INTRODUCE BILL

Mr. Pope moved to introduce a bill at this time, and have it placed on first reading.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—78

Aikin.	Kayton.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Lotief.
of Johnson.	Mackay.
Bedford.	McClain.
Bradley.	McDougald.
Butler.	McGregor.
Calvert.	Merritt.
Caven.	Moore.
Chastain.	Morse.
Clayton.	Patterson.
Colson.	Pavlica.
Cowley.	Pope.
Crossley.	Ramsey.
Davidson.	Ratliff.
Devall.	Ray.
Dunagan.	Reader.
Dwyer.	Reed of Dallas.
Fain.	Renfro.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Greathouse.	Russell.
Griffith.	Scarborough.
Haag.	Shannon.
Hankamer.	Shults.
Harris.	Smith.
Harrison.	Stanfield.
Hill of Brazoria.	Stinson.
Hill of Webb.	Tennyson.
Holekamp.	Tillery.
Holland.	Townsend.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Jackson.	Walker.
James.	Weinert.
Johnson	Wells.
of Anderson.	Young.
Jones of Shelby.	

Nays—35

Adamson.	Jones of Runnels.
Baker.	Latham.
Barrett.	Lindsey.
Bourne.	Magee.
Burns.	Morrison.
Camp.	Parkhouse.
Canon.	Puryear.
Coombes.	Reed of Bowie.
Daniel.	Rollins.
Few.	Scott.
Graves.	Steward.
Harman.	Stovall.
Head.	Thomas.
Hester.	Vaughan.
Hodges.	Wagstaff.
Hughes.	Winningham.
Hunt.	Wood.
Hyder.	

Absent

Anderson	Leonard.
of Bexar.	Long.
Barron.	Mathis.
Beck.	McCullough.
Cathey.	McKee.
Celaya.	Metcalf.
Dean.	Mitcham.
Dunlap.	Moffett.
Engelhard.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Hicks.	Riddle.
Jefferson.	Ross.
Jones of Atascosa.	Savage.
Kyle of Hays.	Sullivant.
Lemens.	Tarwater.

Absent—Excused

Duvall.	Holloway.
Fisher.	Johnson
Hartzog.	of Dimmit.

(Speaker in the Chair.)

#### RELATIVE TO STATE-WIDE BOND ISSUE

Mrs. Hughes offered the following resolution:

Whereas, There are now pending before the House, a Senate joint resolution and a House joint resolution proposing an amendment to the Constitution to authorize the Legislature to issue bonds for the relief of the distressed condition of the people of Texas occasioned by the Depression; and

Whereas, It is important that this Legislature be fully advised as to such distressed condition, the extent thereof, the probable duration thereof, and all facts relating thereto, in order

that they may intelligently vote on such resolution; therefore, be it

Resolved, That the Hon. Lawrence Westbrook, of Austin, Texas, representative of the R. F. C.; the Hon. Oscar F. Holcombe, mayor of the City of Houston; the Hon. C. K. Quin, mayor of the City of San Antonio; the Hon. William Bryce, mayor of the City of Fort Worth, and the Hon. Charles E. Turner, mayor of the City of Dallas, be, and are hereby, invited to appear before this House on Thursday, May 11, at 10 o'clock a. m., and address this House on the needs and necessities for such bond issue, and the extent of the distress and general condition relating thereto in their respective cities. Be it further

Resolved, That the Clerk of the House immediately communicate with the above-named parties, and extend this invitation to them, and urgently request that they appear in this House at the time stated and for the purpose stated.

HUGHES,  
GOODMAN,  
McGREGOR.

The resolution was read second time.

Mr. Bradley offered the following amendment to the resolution:

Amend the resolution by adding, after the words, "City of Dallas," the following: "H. B. Harris and Jack Mendor."

Mr. McGregor moved to table the amendment.

The motion to table was lost.

(Mr. Alexander in the Chair.)

Question recurring on the amendment by Mr. Bradley, yeas and nays were demanded.

The amendment was adopted by the following vote:

#### Yeas—68

Adamson.	Davidson.
Anderson	Dean.
of Johnson.	Dwyer.
Baker.	Engelhard.
Bourne.	Fain.
Bradley.	Few.
Burns.	Ford.
Butler.	Glass.
Cathey.	Greathouse.
Caven.	Harris.
Crossley.	Head.
Daniel.	Hester.

Hill of Brazoria.	Patterson.
Hill of Webb.	Pavlica.
Hoskins.	Purveyer.
Huddleston.	Ratliff.
Hunt.	Ray.
Hyder.	Reader.
Jefferson.	Reed of Dallas.
Jones of Runnels.	Renfro.
Jones of Shelby.	Rollins.
Kayton.	Scott.
Latham.	Shannon.
Lemens.	Smith.
Lindsey.	Tarwater.
Lotief.	Thomas.
McCullough.	Townsend.
Metcalf.	Turlington.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Wells.
Morse.	Wood.
Munson.	Young.
Palmer.	

#### Nays—55

Aikin.	Johnson
Alsup.	of Anderson.
Anderson	Kyle of Hays.
of Bexar.	Kyle of Palo Pinto.
Barrett.	Long.
Barron.	Magee.
Bedford.	Mackay.
Calvert.	Mathis.
Camp.	McClain.
Canon.	McDougald.
Chastain.	McGregor.
Clayton.	Merritt.
Colson.	Parkhouse.
Coombes.	Pope.
Cowley.	Ramsey.
Devall.	Reed of Bowie.
Dunlap.	Riddle.
Dunagan.	Roberts.
Golson.	Russell.
Good.	Savage.
Griffith.	Scarborough.
Hankamer.	Shults.
Harrison.	Stanfield.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Sullivant.
Holloway.	Van Zandt.
Jackson.	Weinert.
James.	

#### Present—Not Voting

Goodman.	Stovall.
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#### Absent

Alexander.	Hicks.
Beck.	Hughes.
Celaya.	Jones of Atascosa.
Fuchs.	Laird.
Graves.	Leonard.
Haag.	McKee.
Harman.	Nicholson.

Rogers of Hunt. Tennyson.  
Rogers Tillery.  
of Ochiltree. Winningham.  
Ross.

Absent—Excused

Duvall. Johnson  
Fisher. of Dimmit.  
Hartzog.

Mr. Haag offered the following amendment to the resolution:

Amend the resolution by adding to the list invited the name of the Hon. Leon Goodman, mayor of the City of Midland.

The amendment was adopted.

Mr. Merritt offered the following amendment to the resolution:

Amend the resolution by adding, after the names of mayors in said resolution, the following: "and the mayors of any Texas cities who desire to address the Legislature."

MERRITT,  
WAGSTAFF,  
FAIN,  
THOMAS.

Mr. Scarborough moved the previous question on the pending amendments, the amendments on the Speaker's desk, and the resolution, and the main question was ordered.

Question then recurring on the amendment by Mr. Merritt, it was adopted.

Mr. McDougald offered the following amendment to the resolution:

Amend the resolution by adding the name of A. E. Fletcher, mayor of the City of Beaumont, to the list of speakers to address the Legislature.

Mr. Anderson of Bexar raised a point of order on further consideration of the amendment, on the ground that the provisions of the amendment have been taken care of in a previous amendment.

The Speaker sustained the point of order.

Mr. Kayton offered the following amendment to the resolution:

Amend House Simple Resolution No. 166 by changing the time of the meeting from 10 a. m. to 7:30 p. m.

The amendment was adopted.

Mr. Burns moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Mr. Russell offered the following amendment to the resolution:

Amend the resolution by adding the names of Tom Love, Frank Norris, Atticus Webb, and Pitchfork Smith.

RUSSELL,  
GOOD,  
DUNAGAN.

Mr. Moore raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane and changes the original purpose of the resolution.

The Speaker sustained the point of order.

The resolution as amended was then adopted.

#### CONFERENCE COMMITTEE REPORT ON HOUSE CONCURRENT RESOLUTION NO. 71

Mr. Metcalfe submitted the following conference committee report on House Concurrent Resolution No. 71:

Committee Room,  
Austin, Texas, May 9, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Concurrent Resolution No. 71, have had same under consideration, and have reached an agreement, and beg leave to make the following recommendation:

That the Senate amendment to said resolution be rejected, and that the resolution be adopted in the form that it passed the House.

Respectfully submitted,

WOODWARD,  
SMALL,  
HORNSBY,  
MOORE,  
REGAN,

On the part of the Senate;

METCALFE,  
ANDERSON of Johnson,  
TOWNSEND,  
SCOTT,  
BARRETT,

On the part of the House.

Mr. Metcalfe moved that the conference committee report be adopted.

Mr. Vaughan moved that the report be not adopted, and that a new conference committee be appointed to adjust the differences.

Mr. Metcalfe moved to table the motion by Mr. Vaughan.

The motion to table prevailed.

Question then recurring on the motion by Mr. Metcalfe that the report be adopted, it prevailed.

#### HOUSE BILL NO. 536 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 536, A bill to be entitled "An Act to amend Article 2846 and Article 2854, of the Revised Civil Statutes of Texas, 1925." (Relating to the printing, engraving, binding, and furnishing of textbooks.);

The bill having heretofore been read second time, with amendment by Mr. Rogers of Ochiltree, and amendment by Mr. Aikin to the amendment, pending.

Mr. Aikin moved that the bill be re-committed to the Committee on Education.

Mr. Scott moved to table the motion to re-commit the bill.

Question recurring on the motion to table, it prevailed.

Mr. Rogers of Ochiltree moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—60

Anderson	Holland.
of Bexar.	Holloway.
Baker.	Hoskins.
Beck.	Huddleston.
Bradley.	James.
Cathey.	Jefferson.
Celaya.	Johnson
Crossley.	of Anderson.
Davidson.	Jones of Shelby.
Dunagan.	Kayton.
Few.	Kyle of Palo Pinto.
Ford.	Latham.
Fuchs.	Lemens.
Golson.	Mackay.
Good.	Mathis.
Haag.	Merritt.
Hester.	Morrison.
Hill of Brazoria.	Morse.
Holekamp.	Palmer.

Pavlica.	Smith.
Pope.	Stanfield.
Purveyar.	Steward.
Ratliff.	Stovall.
Reed of Bowie.	Tarwater.
Renfro.	Thomas.
Riddle.	Tillery.
Roberts.	Townsend.
Rogers	Turlington.
of Ochiltree.	Vaughan.
Scarborough.	Weinert.
Scott.	Young.
Shannon.	

#### Nays—48

Adamson.	Hunt.
Aikin.	Hyder.
Anderson	Jackson.
of Johnson.	Lindsey.
Barrett.	Lotief.
Bourne.	Magee.
Burns.	McClain.
Butler.	McCullough.
Calvert.	McDougald.
Camp.	Mitcham.
Canon.	Munson.
Caven.	Parkhouse.
Chastain.	Ramsey.
Clayton.	Ray.
Daniel.	Reed of Dallas.
Dean.	Rogers of Hunt.
Devall.	Rollins.
Fain.	Savage.
Glass.	Shults.
Graves.	Stinson.
Griffith.	Tennyson.
Hankamer.	Van Zandt.
Harris.	Wagstaff.
Head.	Wood.
Hughes.	

#### Absent

Alexander.	Kyle of Hays.
Alsup.	Laird.
Barron.	Leonard.
Bedford.	Long.
Colson.	McGregor.
Coombes.	McKee.
Cowley.	Metcalfe.
Dunlap.	Moffett.
Dwyer.	Moore.
Engelhard.	Nicholson.
Goodman.	Patterson.
Greathouse.	Reader.
Harman.	Ross.
Harrison.	Russell.
Hicks.	Sullivant.
Hill of Webb.	Walker.
Hodges.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	

#### Absent—Excused

Duvall.	Johnson
Fisher.	of Dimmit.
Hartzog.	

Mr. Aikin offered the following amendment to the amendment by Mr. Rogers of Ochiltree:

Amend amendment to House Bill No. 536, page 4, by striking out all of Section 3, and substituting in lieu thereof the following:

"The bidder to whom any contract may have been awarded shall execute a good and sufficient bond, payable to the State of Texas, in the sum of not less than ten thousand dollars (\$10,000) for each basal book adopted under the provisions of this Act; and a good and sufficient bond, payable to the State of Texas in the sum of not less than three thousand dollars (\$3,000) for each supplementary textbook adopted under the provisions of this Act."

Mr. Latham raised a point of order on further consideration of the amendment by Mr. Aikin, on the ground that it is not germane to this section of the amendment.

The Chair sustained the point of order.

Mr. Hunt offered the following amendment to the amendment by Mr. Rogers of Ochiltree:

Amend the amendment to House Bill No. 536 by adding a new Section, to be known as Section 1-a, and to read as follows:

"Section 1-a. That before any Texas firm may be given any contract to print and bind textbooks for purchase by the State of Texas under this Act, it shall guarantee that its product will in every way comply with the provisions of the Free Textbook Law and the requirements of the State Board of Education as to mechanical features, and that it shall further guarantee that it will have ready at the time provided for in the law a sufficient quantity of textbooks to satisfy the needs of the schools. As a surety for such guarantee said firm shall make bond with the State of Texas, through the State Board of Education, in the amount of ten thousand dollars (\$10,000).

"In the event satisfactory arrangements cannot be made with local firms who have complied with this requirement, the State Board of Education shall have authority to release publishers from the provision of this Act requiring manufacture of books in Texas."

On motion of Mr. Anderson of Bexar, the amendment was tabled.

Mr. Morse moved the previous question on the pending amendments, the amendments on the Speaker's desk, and the bill, and the main question was ordered.

Mr. Clayton offered the following amendment to the amendment by Mr. Rogers of Ochiltree:

Amend the amendment to House Bill No. 536 by striking out Section 6, and inserting in lieu thereof the following:

"Section 6. Providing further, that the finished product, including binding, engraving, and printing, shall be done at the same or less cost as could be had in any other State."

Mr. Anderson of Bexar raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Chair sustained the point of order.

Mr. Burns offered the following amendment to the amendment by Mr. Rogers of Ochiltree:

Amend the amendment to House Bill No. 536 by adding a new Section, to be numbered —:

"It is especially provided that nothing herein shall in any manner affect, alter, diminish, change, or modify the anti-trust and/or monopoly statutes of this State, and that no provision of this Act shall in any manner, directly or indirectly, authorize a violation of such anti-trust and/or monopoly statutes, and in this connection it is hereby declared, and especially provided, by the Legislature of the State of Texas enacting this legislation that it is the intent of said Legislature that no provision of this Act shall in any manner affect, alter, diminish, or amend any provision of the anti-trust and/or monopoly statutes of this State, or in any manner authorize a violation of such anti-trust and/or monopoly statutes, and it is further especially provided that if any provision of this Act shall be so construed by any court of this State as to in any manner affect, alter, diminish, modify any provision of the anti-trust and/or monopoly statutes of this State, then, in that event, any such section, subsection, sentence, or clause or any provision of this Act so con-

strued, if conflicting with said monopoly and/or anti-trust statutes, it is hereby declared null and void rather than the anti-trust and/or monopoly statutes of this State."

BURNS,  
DANIEL.

The amendment was adopted.

(Speaker in the Chair.)

Mr. Aikin offered the following amendment to the amendment by Mr. Rogers of Ochiltree:

Amend amendment to House Bill No. 536 by striking out Section 7.

The amendment was lost.

Question recurring on the amendment, by Mr. Rogers of Ochiltree, as amended, it was adopted.

Mr. Latham offered the following amendment to the bill:

Amend House Bill No. 536, Section 6, by changing the word "to" after the word "book," in line 3, to the word "in."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 536 was then passed to engrossment by the following vote:

Yeas—96

Alsop.	Ford.
Anderson	Fuchs.
of Bexar.	Glass.
Baker.	Golson.
Beck.	Good.
Bedford.	Goodman.
Bradley.	Graves.
Canon.	Greathouse.
Cathey.	Griffith.
Celaya.	Haag.
Chastain.	Hankamer.
Clayton.	Hill of Brazoria.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Holloway.
Crossley.	Hoskins.
Davidson.	Huddleston.
Dean.	Jackson.
Devall.	James.
Dunagan.	Jefferson.
Duvall.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Shelby.
Fain.	Kayton.
Few.	Kyle of Palo Pinto.

Laird.  
Latham.  
Lemens.  
Leonard.  
Mackay.  
Magee.  
Mathis.  
McClain.  
McCullough.  
McDougald.  
McGregor.  
Merritt.  
Metcalf.  
Moore.  
Morrison.  
Morse.  
Munson.  
Palmer.  
Patterson.  
Pavlica.  
Pope.  
Ratliff.  
Ray.  
Reader.  
Reed of Bowie.

Reed of Dallas.  
Renfro.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Savage.  
Scott.  
Shannon.  
Smith.  
Steward.  
Stovall.  
Tarwater.  
Tennyson.  
Tillery.  
Townsend.  
Turlington.  
Vaughan.  
Walker.  
Weinert.  
Winningham.  
Young.

Nays—33

Adamson.	Hyder.
Aikin.	Jones of Runnels.
Alexander.	Lindsey.
Anderson	Long.
of Johnson.	Lotief.
Barrett.	Mitcham.
Bourne.	Parkhouse.
Burns.	Puryear.
Butler.	Ramsey.
Calvert.	Riddle.
Caven.	Roberts.
Daniel.	Shults.
Harris.	Stinson.
Head.	Van Zandt.
Hill of Webb.	Wagstaff.
Hughes.	Wells.
Hunt.	Wood.

Absent

Barron.	Kyle of Hays.
Camp.	McKee.
Dunlap.	Moffett.
Harman.	Nicholson.
Harrison.	Scarborough.
Hester.	Stanfield.
Hicks.	Sullivan.
Hodges.	Thomas.
Jones of Atascosa.	

Absent—Excused

Fisher.	Johnson
Hartzog.	of Dimmit.

### HOUSE BILL NO. 536 ON THIRD READING

Mr. Anderson of Bexar moved that the constitutional rule, requiring bills

to be read on three several days, be suspended, and that House Bill No. 536 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—106

Alexander.	Lemens.
Alsup.	Leonard.
Anderson	Lindsey.
of Bexar.	Long.
Beck.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Bradley.	Mathis.
Calvert.	McClain.
Canon.	McGregor.
Cathey.	Merritt.
Celaya.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Coombes.	Munson.
Cowley.	Palmer.
Crossley.	Patterson.
Davidson.	Pavlica.
Dean.	Pope.
Devall.	Puryear.
Dunagan.	Ratliff.
Duvall.	Ray.
Dwyer.	Reader.
Engelhard.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Rollins.
Graves.	Ross.
Greathouse.	Russell.
Griffith.	Savage.
Haag.	Scott.
Hankamer.	Shannon.
Harris.	Smith.
Hill of Brazoria.	Steward.
Holekamp.	Stovall.
Holland.	Tarwater.
Holloway.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wells.
Kyle of Palo Pinto.	Winningham.
Laird.	Young.
Latham.	

## Nays—23

Adamson.	Aikin.
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Anderson	Hughes.
of Johnson.	Hunt.
Barrett.	Hyder.
Burns.	Jones of Runnels.
Butler.	McCullough.
Camp.	Mitcham.
Caven.	Parkhouse.
Daniel.	Ramsey.
Fain.	Shults.
Head.	Stinson.
Hill of Webb.	Wood.

## Absent

Baker.	McDougald.
Barron.	McKee.
Dunlap.	Metcalfe.
Harman.	Nicholson.
Harrison.	Riddle.
Hester.	Scarborough.
Hicks.	Stanfield.
Hodges.	Sullivant.
Kyle of Hays.	

## Absent—Excused

Fisher.	Johnson
Hartzog.	of Dimmit.

The Speaker then laid House Bill No. 536 before the House on its third reading and final passage.

The bill was read third time.

Mr. Morse moved the previous question on the passage of the bill, and the main question was ordered.

House Bill No. 536 was then passed by the following vote:

## Yeas—92

Alsup.	Graves.
Anderson	Greathouse.
of Bexar.	Griffith.
Baker.	Haag.
Beck.	Hankamer.
Bedford.	Harrison.
Bradley.	Hill of Brazoria.
Celaya.	Holekamp.
Chastain.	Holland.
Clayton.	Holloway.
Colson.	Hoskins.
Coombes.	Huddleston.
Cowley.	Jackson.
Crossley.	James.
Davidson.	Jefferson.
Dunagan.	Johnson
Duvall.	of Anderson.
Dwyer.	Jones of Atascosa.
Fain.	Jones of Shelby.
Few.	Kayton.
Ford.	Kyle of Palo Pinto.
Fuchs.	Laird.
Glass.	Latham.
Golson.	Lemens.
Good.	Leonard.
Goodman.	Mackay.

Magee.	Rollins.
Mathis.	Ross.
McCullough.	Russell.
McDougald.	Savage.
McGregor.	Scarborough.
Merritt.	Scott.
Moffett.	Shannon.
Moore.	Smith.
Morrison.	Stanfield.
Morse.	Steward.
Munson.	Stovall.
Patterson.	Tarwater.
Pavlica.	Tennyson.
Pope.	Thomas.
Ray.	Tillery.
Reader.	Townsend.
Reed of Bowie.	Turlington.
Reed of Dallas.	Vaughan.
Renfro.	Walker.
Rogers of Hunt.	Weinert.
Rogers of Ochiltree.	Winningham.

## Nays—42

Adamson.	Hyder.
Aikin.	Jones of Runnels.
Alexander.	Kyle of Hays.
Anderson	Lindsey.
of Johnson.	Long.
Barrett.	Lotief.
Bourne.	Mitcham.
Burns.	Palmer.
Butler.	Parkhouse.
Calvert.	Puryear.
Camp.	Ramsey.
Canon.	Ratliff.
Caven.	Riddle.
Daniel.	Roberts.
Dean.	Shults.
Devall.	Stinson.
Harris.	Sullivant.
Head.	Van Zandt.
Hester.	Wagstaff.
Hill of Webb.	Wells.
Hughes.	Wood.
Hunt.	

## Absent

Barron.	Hodges.
Cathey.	McClain.
Dunlap.	McKee.
Engelhard.	Metcalfe.
Harman.	Nicholson.
Hicks.	Young.

## Absent—Excused

Fisher.	Johnson
Hartzog.	of Dimmit.

Mr. Anderson of Bexar moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 710, "An Act providing chattel mortgages given as security for money advanced to purchase motor vehicles, when registered as required by law, will be superior to the claim of other creditors, though the motor vehicle may be exposed for sale; providing such chattel mortgage shall be void under certain conditions; and declaring an emergency."

H. B. No. 136, "An Act to amend Article 288, of the Penal Code of the State of Texas, 1925, as amended by Chapter 188, General Laws of the Fortieth Legislature, Regular Session, so as to make it lawful to teach modern languages in certain elementary grades, and in the high school grades, in public free schools, and making it lawful to teach the Spanish language in the elementary grades in the public free schools in counties bordering on the boundary line between the United States and the Republic of Mexico, having a city or cities of a population of 5,000 inhabitants, or more, according to the United States Census of 1920; and declaring an emergency."

H. B. No. 133, "An Act amending Article 923-h, Title 13, Chapter 6, of the Penal Code of the State of Texas, providing for the sale by tanners and taxidermists of specimens in their possession unclaimed after the expiration of ninety days, and exempting said tanners and taxidermists from penalties for possession, sale, barter, and trade of hides, heads, and carcasses of animals during closed seasons."

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 259, to the Committee on Education.

## HOUSE BILLS ON FIRST READING

The following House bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Long and Mr. Walker:

H. B. No. 931, A bill to be entitled "An Act to abolish the Eighty-ninth Judicial District of Wichita County, Texas, and the transfer of causes on the dockets of this court to other district courts now established in said County, so as to expedite the trial of causes; and fixing the terms of court in the Thirtieth Judicial District, and fixing the effective date of this Act."

Referred to Committee on Judicial Districts.

By Mr. Daniel:

H. B. No. 932, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty, etc.; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Long, Mr. Tennyson, and Mr. Walker:

H. B. No. 933, A bill to be entitled "An Act providing in counties having more than seventy-four thousand four hundred (74,400) inhabitants and less than seventy-four thousand four hundred and twenty-five (74,425) inhabitants, according to the last or any subsequent Federal Census, providing for the election, oath, and bond of the office of assessor and collector of taxes, as combined by the recent amendment to the Constitution; providing that Articles 7181 to 7359, inclusive, Title 122, of the 1925 Revised Civil Statutes of Texas, including all amendments, as well as the 1925 Revised Civil Statutes, shall be so construed as to carry out the purposes of the constitutional amendment providing for one office, and the words 'assessor,' 'assessor of taxes,' 'collector,' 'collector of taxes,' or 'tax collector,' shall refer to and mean one office, or officer; repealing Articles 7245, 7246, 7247, 7248, and 7249, of the 1925 Revised Civil Statutes of Texas, etc.; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Puryear:

H. B. No. 934, A bill to be entitled "An Act conferring additional powers on the boards of trustees of independent school districts situated in counties having a population, according to the latest Federal Census of more than 22,000 and less than 22,100, by providing that the boards of trustees of such districts may issue refunding warrants in lieu of eligible vouchers as defined herein, issued prior to January 1, 1932, prescribing the duties of the boards of trustees in reference to the issuance of said refunding warrants, expressly authorizing and validating said outstanding eligible vouchers and refunding warrants issued in lieu thereof; etc.; and declaring an emergency."

Referred to Committee on School Districts.

#### HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Walker and Mr. Bourne:

H. J. R. No. 45, Proposing an amendment to the Constitution of the State of Texas, by amending Article XVII, Section 1, so as to provide that the Legislature, by a two-thirds vote of all the Members elected to each House, may submit amendments to the Constitution to be voted upon by the qualified voters, Members of the Legislature.

Referred to Committee on Constitutional Amendments.

#### RECESS

On motion of Mr. Townsend, the House, at 12:15 o'clock p. m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

REQUESTING RETURN OF HOUSE  
JOINT RESOLUTION  
NO. 14

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 62, Requesting return of House Joint Resolution No. 14.

Whereas, House Joint Resolution No. 14 is now in the Governor's office, and

Whereas, The Senate, on yesterday, May 8, sent to the House, Senate Concurrent Resolution No. 59, respectfully praying the recall of such House Joint Resolution No. 14 for certain corrections; now, therefore, be it

Resolved by the Senate, the House concurring, That the Governor's office be requested to return House Joint Resolution No. 14 to the Senate of Texas for correction.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 5 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 5, A bill to be entitled "An Act to provide that no lease of any school or asylum land in which the State has a reservation of mineral shall be effective until filed in the General Land Office; and to provide that said lease shall be void unless it shall state the true considerations and terms and be accompanied by an affidavit by the owner that the terms and consideration in said lease are true and correct."

The bill was read second time.

Mrs. Hughes offered the following committee amendments to the bill:

(1)

Amend House Bill No. 5 by striking out all below the enacting clause, and inserting the following:

"Section 1. No lease, assignment of lease, or release of any school or asylum land in which the State has a reservation of minerals, shall be effective until such instrument has been filed in the office of the Commissioner of the General Land Office. No other instrument which af-

fects the State's interest in or to such land shall be effective until such instrument has been so filed. All leases, assignments of leases, and releases of any State school or asylum land, in which the State has a reservation of the minerals, shall state the true consideration and terms, and shall be accompanied by an affidavit, signed by the owner and the lessee, that the consideration and terms set out in said lease, assignment of lease, and/or release are true and correct.

"Sec. 2. The fact that the Commissioner of the General Land Office has no way of ascertaining the true consideration and terms of leases, assignments of leases, releases, and other instruments affecting the State's interest in lands in which the State has a reservation of the minerals, and the further fact that such lack of information is costing the State of Texas thousands of dollars yearly, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

(2)

Amend House Bill No. 5 by striking out all above the enacting clause, and inserting the following:

"H. B. No. 5,

A BILL

To Be Entitled

An Act to provide that no lease, assignment of lease, or release of any school or asylum land in which the State has a reservation of minerals shall be effective until filed in the General Land Office; providing that no instrument affecting the State's title to minerals in such land shall be effective until filed in the General Land Office; providing that all leases, assignments of leases, or releases on school or asylum lands in which the State has a reservation of the minerals, shall be void unless they state the true consideration and terms and are accompanied by affidavits of the owner and lessee that the terms and consideration in said lease are true and correct; and declaring an emergency."

The amendments were severally adopted.

House Bill No. 5 was then passed to engrossment.

# HOUSE BILL NO. 5 ON THIRD READING

Mrs. Hughes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Leonard.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Barrett.	McDougald.
Barron.	Merritt.
Beck.	Mitcham.
Bourne.	Moffett.
Burns.	Moore.
Calvert.	Morrison.
Camp.	Morse.
Canon.	Munson.
Cathey.	Nicholson.
Celaya.	Palmer.
Clayton.	Patterson.
Crossley.	Pope.
Dean.	Puryear.
Devall.	Ramsey.
Dwyer.	Ratliff.
Fain.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Riddle.
Graves.	Roberts.
Griffith.	Rogers
Haag.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Harris.	Russell.
Hartzog.	Scarborough.
Head.	Shannon.
Hicks.	Shults.
Hill of Webb.	Smith.
Hodges.	Steward.
Holekamp.	Stinson.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
James.	Tillery.
Jones of Runnels.	Townsend.
Jones of Shelby.	Turlington.

Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.

Wells.  
Winningham.  
Young.

Nays—1

Lindsey.

Absent

Bedford.	Jackson.
Bradley.	Jefferson.
Butler.	Johnson
Caven.	of Anderson.
Chastain.	Jones of Atascosa.
Colson.	Lemens.
Coombes.	Long.
Cowley.	Mathis.
Daniel.	McClain.
Davidson.	McCullough.
Dunlap.	McGregor.
Dunagan.	McKee.
Duvall.	Metcalfe.
Engelhard.	Parkhouse.
Few.	Pavlica.
Goodman.	Rogers of Hunt.
Greathouse.	Savage.
Harrison.	Scott.
Hester.	Stanfield.
Hill of Brazoria.	Stovall.
Holland.	Weinert.
Holloway.	Wood.
Hoskins.	

Absent—Excused

Fisher.

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 5 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.	Cowley.
Aikin.	Crossley.
Alexander.	Dean.
Alsup.	Devall.
Anderson	Dunlap.
of Bexar.	Fain.
Anderson	Ford.
of Johnson.	Fuchs.
Baker.	Glass.
Barrett.	Golson.
Barron.	Good.
Beck.	Graves.
Bedford.	Griffith.
Bourne.	Haag.
Bradley.	Hankamer.
Burns.	Harman.
Camp.	Harris.
Canon.	Head.
Cathey.	Hicks.
Celaya.	Hill of Webb.
Clayton.	Hodges.
Coombes.	Holekamp.

Huddleston.	Reader.
Hughes.	Reed of Bowie.
Hunt.	Reed of Dallas.
Hyder.	Renfro.
James.	Riddle.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rollins.
Kayton.	Ross.
Kyle of Hays.	Russell.
Kyle of Palo Pinto.	Savage.
Laird.	Scarborough.
Latham.	Scott.
Leonard.	Shannon.
Lotief.	Shults.
Mackay.	Smith.
Magee.	Steward.
McDougald.	Stinson.
Merritt.	Stovall.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Moore.	Thomas.
Morrison.	Tillery.
Morse.	Turlington.
Munson.	Van Zandt.
Nicholson.	Vaughan.
Palmer.	Wagstaff.
Patterson.	Walker.
Ramsey.	Wells.
Ratliff.	Winningham.
Ray.	Young.

Nays—1

Lindsey.

Present—Not Voting

Puryear.

Absent

Butler.	Johnson
Calvert.	of Anderson.
Caven.	Jones of Atascosa.
Chastain.	Lemens.
Colson.	Long.
Daniel.	Mathis.
Davidson.	McClain.
Dunagan.	McCullough.
Duvall.	McGregor.
Dwyer.	McKee.
Engelhard.	Metcalf.
Few.	Parkhouse.
Goodman.	Pavlica.
Greathouse.	Pope.
Harrison.	Rogers of Hunt.
Hartzog.	Rogers
Hester.	of Ochiltree.
Hill of Brazoria.	Stanfield.
Holland.	Sullivant.
Holloway.	Townsend.
Hoskins.	Weinert.
Jackson.	Wood.
Jefferson.	

Absent—Excused

Fisher.

Johnson  
of Dimmit.HOUSE BILL NO. 4 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act amending Article 5326, of the Revised Civil Statutes, providing for forfeiture of public school land on non-payment of any installment of principal or interest and manner of making forfeitures and for further sale, and providing for reinstatement within one year from date of forfeiture by purchasers, etc."

The bill was read second time.

Mr. Haag offered the following committee amendment to the bill:

Amend House Bill No. 4, Section 1, by striking out the words "any installment of principal or".

The amendment was adopted.

Mr. Haag offered the following committee amendment to the bill:

Amend House Bill No. 4 by striking out, in Section 1, the words "provided that no rights of third parties may have intervened," and by changing the comma after "reinstatement" to a period.

The amendment was adopted.

Mr. Haag offered the following committee amendment to the bill:

Amend the caption of House Bill No. 4 by striking out the words "any installment of principal or".

The amendment was adopted.

House Bill No. 4 was then passed to engrossment.

HOUSE BILL NO. 4 ON THIRD  
READING

Mrs. Hughes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Beck.
Aikin.	Bedford.
Alexander.	Bourne.
Alsup.	Bradley.
Anderson	Burns.
of Bexar.	Calvert.
Anderson	Canon.
of Johnson.	Celaya.
Baker.	Chastain.
Barrett.	Clayton.

Coombes.	Mitcham.
Cowley.	Moffett.
Crossley.	Moore.
Daniel.	Morrison.
Davidson.	Morse.
Dean.	Munson.
Devall.	Nicholson.
Engelhard.	Palmer.
Fain.	Pavlica.
Few.	Pope.
Ford.	Puryear.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reader.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Haag.	Roberts.
Hankamer.	Rogers of Hunt.
Harris.	Rogers
Head.	of Ochiltree.
Hicks.	Rollins.
Hill of Webb.	Ross.
Hodges.	Russell.
Holekamp.	Scarborough.
Holland.	Scott.
Holloway.	Shannon.
Hoskins.	Shults.
Hughes.	Stanfield.
Hunt.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jefferson.	Sullivant.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Kyle of Hays.	Thomas.
Laird.	Tillery.
Lemens.	Townsend.
Leonard.	Turlington.
Lindsey.	Van Zandt.
Lotief.	Wagstaff.
Mackay.	Walker.
Magee.	Weinert.
McDougald.	Wells.
Merritt.	Wood.
Metcalfe.	Young.

## Nays—3

Huddleston.	Winningham.
Vaughan.	

## Absent

Barron.	Hartzog.
Butler.	Hester.
Camp.	Hill of Brazoria.
Cathey.	Hyder.
Caven.	Johnson
Colson.	of Anderson.
Dunlap.	Jones of Shelby.
Dunagan.	Kayton.
Duvall.	Kyle of Palo Pinto.
Dwyer.	Latham.
Graves.	Long.
Harman.	Mathis.
Harrison.	McClain.

McCullough.	Patterson.
McGregor.	Ramsey.
McKee.	Savage.
Parkhouse.	Smith.

## Absent—Excused

Fisher.	Johnson
	of Dimmit.

The Speaker then laid House Bill No. 4 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—110

Adamson.	Hunt.
Aikin.	Jackson.
Alexander.	James.
Alsup.	Jefferson.
Anderson	Jones of Atascosa.
of Bexar.	Jones of Runnels.
Anderson	Kyle of Hays.
of Johnson.	Kyle of Palo Pinto.
Baker.	Laird.
Barrett.	Latham.
Beck.	Lemens.
Bedford.	Leonard.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Mackay.
Calvert.	Magee.
Canon.	Merritt.
Celaya.	Metcalfe.
Chastain.	Mitcham.
Clayton.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Crossley.	Morse.
Davidson.	Munson.
Dean.	Nicholson.
Devall.	Palmer.
Dwyer.	Pavlica.
Fain.	Pope.
Few.	Puryear.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reader.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Renfro.
Greathouse.	Riddle.
Haag.	Roberts.
Hankamer.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Scarborough.
Hicks.	Scott.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holekamp.	Smith.
Holland.	Stanfield.
Holloway.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.

Sullivant.	Van Zandt.
Tarwater.	Wagstaff.
Tennyson.	Walker.
Thomas.	Weinert.
Tillery.	Wells.
Townsend.	Wood.
Turlington.	Young.

## Nays—4

Huddleston.	Vaughan.
Rogers of Hunt.	Winningham.

## Present—Not Voting

Rogers of Ochiltree.

## Absent

Barron.	Hyder.
Butler.	Johnson
Camp.	of Anderson.
Cathey.	Jones of Shelby.
Caven.	Kayton.
Colson.	Long.
Daniel.	Mathis.
Dunlap.	McClain.
Dunagan.	McCullough.
Duvall.	McDougald.
Engelhard.	McGregor.
Graves.	McKee.
Griffith.	Parkhouse.
Harman.	Patterson.
Harrison.	Ramsey.
Hester.	Savage.
Hill of Brazoria.	

## Absent—Excused

Fisher.	Johnson
	of Dimmit.

## MESSAGE FROM THE GOVERNOR

Kathleen Trigg, assistant secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, May 9, 1933.

To the Forty-third Legislature:

I herewith transmit to you copy of a letter written by Hon. Moore Lynn, State Auditor, to which is attached a concurrent resolution suggested by him asking for the appropriation of \$3,000 out of \$40,000 heretofore appropriated for the State Auditor's office for the fiscal years beginning September 1, 1931, and 1932, respectively: \$3,000 to be used for making an audit of the investments and securities held for the benefit of the Permanent

School Funds of the State of Texas, and any and all transactions in said Fund.

Respectfully submitted,

MIRIAM A. FERGUSON,  
Governor of Texas.

State Auditor and Efficiency Expert

Austin, Texas, May 8, 1933.

Hon. Miriam A. Ferguson, Governor,  
The State of Texas,  
Austin, Texas.

Dear Mrs. Ferguson:

I am in receipt of a letter of May 3, from your Secretary, reading as follows:

"At the direction of the Governor, I enclose herewith a letter from Hon. R. S. Bowers, member of the State Board of Education, asking for an audit of the State Permanent School Fund, and she will appreciate your furnishing this report to her at your earliest convenience, and oblige."

Attached to the letter is a letter of May 1, from Hon. R. S. Bowers, Caldwell, Texas, reading as follows:

"The State Board of Education passed a resolution, upon my motion, that the Governor have the State Auditor make a complete audit of the State Permanent School Fund. The State Superintendent has the motion, and has, no doubt, brought it to the Governor; if not, it will be forthcoming."

"What we want is that the Auditor make a complete audit of these funds, showing everything, in detail, as to when the bonds were bought, from whom bought, and the parties interested, the nature of the bonds, and the security, and the condition of the payments and delinquents, etc., with his judgment on the value of each bond issue owned, and suggestions as to what should be done to collect or improve the security, etc."

"This is about the most important fund, and I hear it talked that the State Permanent School Fund owns many thousands of dollars' worth of bonds, which are worthless, and so let's get a line on this business and see what can be done."

"If the State Superintendent has not reported to you, please call for the resolution, and get things busy. You

know Judge Morrison and myself talked to you about it Friday.

"P. S. It was passed unanimously."

I feel that it is very important that this audit should be made, and that it should be made as expeditiously as possible. The general appropriation for our office has been drawn on so heavily in recent months that we are without funds sufficient to meet this new and unexpected demand.

The Forty-second Legislature appropriated \$40,000 to the State Auditor's office for the current fiscal year for the purpose of auditing oil royalties accruing to the Permanent School Fund, the Permanent University Fund, and other funds of the State. It appears that at least \$3,000 of this appropriation will not be used in such audits. In order that we may make the audit of the Permanent School Fund in the manner suggested by the Governor, and in order that we may complete the audit as promptly as possible, it is hereby requested that the Legislature authorize the State Auditor to use not in excess of \$3,000 of the appropriation already made for auditing oil royalties, for the purpose of auditing the investments of, and all transactions in, the Permanent School Fund.

A suggested form of concurrent resolution is attached hereto. I shall greatly appreciate your transmitting this request to the two Houses of the Legislature, if it meets with your approval.

Yours truly,  
MOORE LYNN,  
State Auditor.

Whereas, The Legislature of this State, in the General Appropriation Act for State departments, Chapter 286, Acts, Regular Session, Forty-second Legislature, as amended by Chapter 8, Second Called Session, Forty-second Legislature, appropriated the sum of forty thousand dollars (\$40,000) for each of the fiscal years beginning September 1, 1931, and September 1, 1932, respectively, to the State Auditor's office, to be expended by the State Auditor, upon the approval of the Governor, in auditing the oil and gas royalties that have accrued, and were, and are, accruing to the Permanent School Fund, the Permanent University Fund, and to other funds of the State; and

Whereas, It is the sense of this Legislature that it is desirable that

an audit should likewise be made of the investments and securities of the Permanent School Fund of the State; and

Whereas, An audit of said investments and securities can be made in connection with the auditing of the oil and gas royalties which have accrued, and are accruing, to the Permanent School Fund by an expenditure of three thousand dollars (\$3,000) out of the funds already appropriated as hereinbefore stated, if said audit of said investments and securities is made in connection with the audit of oil and gas royalties accrued, and accruing to said Permanent School Funds; now, therefore, be it

Resolved by . . . . ., the . . . . . concurring, That the State Auditor be, and he is hereby, authorized to make an audit of the investments and securities held for the benefit of the Permanent School Fund by the State of Texas, and any and all transactions in said Fund, and to expend for that purpose three thousand dollars (\$3,000) of the funds hereinbefore appropriated for an audit of the oil and gas royalties accrued, and accruing, to the Permanent School Fund, the Permanent University Fund, and other State funds as may be necessary to make the audit herein authorized.

#### HOUSE BILL NO. 555 ON SECOND READING

Mr. Hankamer moved, to take up, for consideration at this time, House Bill No. 555, which bill had heretofore been laid on the table subject to call, and due notice having been given that same would be called up today.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 555, A bill to be entitled "An Act to amend Article 2350, of Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1, and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1, and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1, relating to the salaries of county

commissioners; repealing all laws, both general or special, and parts of laws, etc.; and declaring an emergency."

The bill was read second time.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 555, Section 1, page 1, line 38, by striking out the figures "\$1,800," at the end of said line, and inserting in lieu thereof the following: "\$1,920."

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 555, Section 1, page 1, by inserting, between lines 38 and 39, the following: "\$100,000,000 and less than \$150,000,000, \$2,400."

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 555, page 1, Section 1, by striking out all of lines 39 and 40, and inserting in lieu thereof the following: "\$150,000,000 and over, \$3,600."

The amendment was adopted.

Mr. Kyle of Palo Pinto offered the following amendment to the bill:

Amend House Bill No. 555, Section 1, Article 2350, line 32, to read as follows:

"From \$6,500,000 and less than \$8,500,000 to read \$1,200; line 33, from \$8,500,000 to \$12,500,000, \$1,500."

On motion of Mr. Alsup, the amendment was tabled.

Mr. Holekamp offered the following amendment to the bill:

Amend House Bill No. 555 by striking out the words "out of the general funds of the county," in line 30, page 1, of the printed copy, and insert in lieu thereof the following, to wit:

"as follows, to wit: The salary of each county commissioner and each county judge may be paid wholly out of the county general fund, or, at the option of the commissioners court, may be paid out of the county general fund and out of the road and bridge fund in the following proportions: Not to exceed 75 per cent of such salaries may be paid out of the road and bridge fund, and the remainder out of the general fund of the county."

The amendment was adopted.

Mr. Few offered the following amendment to the bill:

Amend House Bill No. 555, page 1, line 37, by striking out "\$1,800" and inserting "\$2,000," as salaries.

FEW,  
STOVALL.

On motion of Mr. Scott, the amendment was tabled.

Mr. Turlington offered the following amendment to the bill:

Amend House Bill No. 555, page 1, line 38, by striking out "\$100,000,000," and inserting in lieu thereof "\$50,000,000," and adding a new line between 38 and 39 to read as follows: "\$50,000,000, and less than \$100,000,000, \$2,400."

TURLINGTON,  
BEDFORD.

On motion of Mr. Hankamer, the amendment was tabled.

Mr. Beck offered the following amendment to the bill:

Amend House Bill No. 555, page 1, line 34, by striking out the figures "\$20,750,000," and insert the figures "\$16,100,000," and then insert a new line, as line 34-a, to read as follows: "\$16,100,000 and less than \$20,750,000, \$1,800."

BECK,  
REED of Bowie.

On motion of Mr. Hankamer, the amendment was tabled.

Mr. Reed of Dallas offered the following amendment to the bill:

Amend House Bill No. 555 by adding a new Section, to be known as Section 1-a:

"Section 1-a. This law shall be effective on and after January 1, 1934."

REED of Dallas,  
HUGHES.

The amendment was adopted.

Mr. Scarborough offered the following amendment to the bill:

Amend House Bill No. 555, page 1, line 32, by striking out "\$10,000,000," and inserting in lieu thereof "\$7,500,000," and by striking out "\$10,000,000" in line 33 and inserting in lieu thereof "\$7,500,000."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 555 was then passed to engrossment.

### HOUSE BILL NO. 555 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 555 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Baker.	Latham.
Barrett.	Leonard.
Beck.	Long.
Bourne.	Lotief.
Bradley.	Magee.
Burns.	McDougald.
Butler.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Palmer.
Coombes.	Pavlica.
Cowley.	Pope.
Crossley.	Puryear.
Daniel.	Ratliff.
Davidson.	Ray.
Devall.	Reader.
Dunlap.	Reed of Bowie.
Duvall.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Scarborough.
Good.	Scott.
Graves.	Shannon.
Haag.	Shults.
Hankamer.	Smith.
Harris.	Stanfield.
Head.	Steward.
Hester.	Stinson.
Hicks.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Holekamp.	Thomas.
Holland.	Tillery.
Hoskins.	Van Zandt.
Huddleston.	Vaughan.
Hunt.	Wagstaff.
Hyder.	Walker.
Jackson.	Weinert.
Johnson	Wood.
of Anderson.	Young.

Nays—11

Bedford.	Morrison.
Goodman.	Morse.
James.	Russell.
Jones of Runnels.	Stovall.
Lindsey.	Turlington.
Mackay.	

Absent

Anderson	Jefferson.
of Bexar.	Jones of Atascosa.
Anderson	Jones of Shelby.
of Johnson.	Lemens.
Barron.	Mathis.
Caven.	McClain.
Colson.	McCullough.
Dean.	McGregor.
Dunagan.	McKee.
Dwyer.	Parkhouse.
Engelhard.	Patterson.
Greathouse.	Ramsey.
Griffith.	Rogers
Harman.	of Ochiltree.
Harrison.	Ross.
Hartzog.	Savage.
Hill of Brazoria.	Townsend.
Holloway.	Wells.
Hughes.	Winningham.

Absent—Excused

Fisher.	Johnson
	of Dimmit.

The Speaker then laid House Bill No. 555 before the House on its third reading and final passage.

The bill was read third time.

Mr. Bedford offered the following amendment to the bill:

Amend House Bill No. 555, page 1, by striking out, in line 33, the figures "\$12,500,000," and insert in lieu thereof "\$10,000,000"; and by striking out "\$12,500,000," in line 34, and insert in lieu thereof "\$10,000,000."

BEDFORD,  
GLASS.

The amendment was lost.

House Bill No. 555 was then passed by the following vote:

Yeas—83

Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Butler.
Alsup.	Calvert.
Anderson	Camp.
of Bexar.	Canon.
Anderson	Cathey.
of Johnson.	Chastain.
Baker.	Clayton.

Coombes.	Morse.
Cowley.	Nicholson.
Daniel.	Patterson.
Devall.	Pavlica.
Duvall.	Puryear.
Fain.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Good.	Riddle.
Greathouse.	Roberts.
Haag.	Rogers of Hunt.
Hankamer.	Russell.
Harris.	Scarborough.
Hartzog.	Scott.
Head.	Shannon.
Hester.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Hughes.	Stinson.
Hunt.	Sullivant.
Hyder.	Tarwater.
Kayton.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Latham.	Tillery.
Leonard.	Van Zandt.
Long.	Vaughan.
Lotief.	Wagstaff.
McDougald.	Walker.
Merritt.	Weinert.
Metcalf.	Wells.
Mitcham.	Wood.
Moore.	Young.
Morrison.	

## Nays—27

Barrett.	Kyle of Hays.
Beck.	Laird.
Bedford.	Lindsey.
Burns.	Mackay.
Crossley.	Moffett.
Dean.	Munson.
Few.	Palmer.
Golson.	Ratliff.
Goodman.	Ray.
Hill of Webb.	Rollins.
Hoskins.	Stovall.
Huddleston.	Townsend.
James.	Turlington.
Jones of Runnels.	

## Absent

Barron.	Hicks.
Caven.	Hill of Brazoria.
Celaya.	Holloway.
Colson.	Jackson.
Davidson.	Jefferson.
Dunlap.	Johnson
Dunagan.	of Anderson.
Dwyer.	Jones of Atascosa.
Engelhard.	Jones of Shelby.
Ford.	Lemens.
Graves.	Magee.
Griffith.	Mathis.
Harman.	McClain.
Harrison.	McCullough.

McGregor.	Rogers
McKee.	of Ochiltree.
Parkhouse.	Ross.
Pope.	Savage.
Ramsey.	Winningham.
Reader.	

Absent—Excused

Fisher.	Johnson
	of Dimmit.

## REASONS FOR VOTES

We vote "nay" on House Bill No. 555 for the reason that in our opinion the Scarborough amendment increases the salaries of county commissioners in some counties.

RATLIFF,  
DEAN.

## HOUSE BILL ON FIRST READING

Mr. McDougald moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—100

Adamson.	Hill of Brazoria.
Aikin.	Hodges.
Alexander.	Holekamp.
Alsup.	Holland.
Baker.	Hoskins.
Barrett.	Huddleston.
Beck.	Hughes.
Bedford.	Hunt.
Bourne.	Hyder.
Burns.	Jackson.
Butler.	James.
Calvert.	Jones of Runnels.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Clayton.	Latham.
Cowley.	Leonard.
Crossley.	Lotief.
Daniel.	Mackay.
Davidson.	McDougald.
Dean.	Merritt.
Devall.	Metcalf.
Fain.	Mitcham.
Few.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Pavlica.
Goodman.	Puryear.
Greathouse.	Ratliff.
Hankamer.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Riddle.
Head.	Roberts.
Hicks.	Rogers of Hunt.

Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Scarborough.  
Shannon.  
Shults.  
Smith.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Sullivant.  
Tarwater.

Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Weinert.  
Wells.  
Winningham.  
Wood.  
Young.

Nays—3

Bradley.  
Coombes.

Ray.

Absent

Anderson  
of Bexar.  
Anderson  
of Johnson.  
Barron.  
Caven.  
Celaya.  
Chastain.  
Colson.  
Dunlap.  
Dunagan.  
Duvall.  
Dwyer.  
Engelhard.  
Graves.  
Griffith.  
Haag.  
Harman.  
Harrison.  
Hester.  
Hill of Webb.  
Holloway.  
Jefferson.

Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Shelby.  
Kayton.  
Lemens.  
Lindsey.  
Long.  
Magee.  
Mathis.  
McClain.  
McCullough.  
McGregor.  
McKee.  
Moffett.  
Palmer.  
Parkhouse.  
Patterson.  
Pope.  
Ramsey.  
Reader.  
Renfro.  
Savage.  
Scott.

Absent—Excused

Fisher.

Johnson  
of Dimmit.

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. McDougald, Mr. Merritt, and Mr. Canon:

H. B. No. 935, A bill to be entitled "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending ma-

chines, marble table machines, and similar devices within the scope of the Subdivision; providing such funds to be placed to the credit of the State Available School Fund; and declaring an emergency."

Referred to Committee on Judiciary.

#### RELATIVE TO HOUSE BILL NO. 935

Mr. Duvall moved that House Bill No. 935 be withdrawn from the Committee on Judiciary, and referred to the Committee on Revenue and Taxation.

The motion was lost.

#### RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 62, Requesting the return of House Joint Resolution No. 14 from the Governor for further consideration.

H. C. R. No. 71, granting John Minica permission to sue the State.

#### HOUSE BILL NO. 831 ON SECOND READING

On motion of Mr. Anderson of Johnson, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 831, A bill to be entitled "An Act, the purpose of which is to safeguard the health of the people of this State by insuring the sanitary and healthful production and distribution of fluid milk and sweet cream; defining 'fluid milk,' 'sweet cream,' 'butter fat,' 'milk distributors,' and 'milk producers'; providing for the Commissioner of Agriculture to promulgate and publish rules governing the production of milk; empowering and directing such Commissioner to fix minimum prices for which fluid milk and sweet cream may be sold, such minimum prices to be based upon costs of producing healthful milk; providing that the Commissioner may change such minimum prices, not oftener than twice each year, to meet the fluctuations in production costs, and providing for the Commissioner

to publish such prices; providing further for the Commissioner to employ assistants and incur expenses for investigations of production costs, and that he shall investigate production costs, inspect dairies, and require reports of methods and production costs from milk producers, etc.; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

(Mr. Butler in the Chair.)

Mr. Anderson of Johnson offered the following committee amendment to the bill:

Amend House Bill No. 831 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. (a) The term 'person,' when used in this Act, means an individual, firm, co-partnership, or corporation, distributing, manufacturing, or otherwise dealing in milk and/or milk products in the State of Texas.

"(b) The term 'fluid milk,' when used in this Act, means the fresh, clean, lacteal secretion obtained by milking cows, and which secretion has not soured, nor been skimmed or separated so as to have had substantially all the butterfat removed therefrom, nor been churned, nor been evaporated or condensed, nor been reduced to a powdered form.

"(c) The term 'sweet cream,' when used in this Act, means that portion of fluid milk rich in butterfat which rises to the surface of milk on standing, or is separated from milk by centrifugal force. For the purpose of this Chapter, any fluid milk which has its natural butterfat content increased so as to cease to come under the definition of fluid milk shall be deemed to be sweet cream.

"(d) The term 'butterfat,' when used in this Act, means the natural occurring fat from the milk of cows.

"(e) The term 'Commissioner,' when used in this Act, means the Commissioner of Agriculture of the State of Texas.

"Sec. 2. The terms and provisions of Section 3 of this Act shall apply only to those cities and towns in which regulations are imposed by city ordinances or other city governing bodies, requiring certain standards and pro-

mulgating rules governing the sanitary and healthful production of milk. The application of Section 3 of this Act to any city or town so establishing and promulgating rules and regulations shall be for the purpose of putting into effect and of making possible the application of such standards, rules, and regulations.

"Sec. 3. The buying or selling of milk or milk products below cost with the intent and with the effect of injuring a competitor, and where the effects may be to lessen competition, or tend to create a monopoly, or restrain trade, is hereby declared to be unlawful.

"In determining 'cost' of milk and milk products, the Commissioner shall take into consideration and have due regard for the expense of preserving, handling, and selling milk and milk products, as well as the purchase price of such products, and it shall bear its proportion of general cost of doing business, including overhead, interest and any and all items which are taken into consideration in the determination of general costs. The Commissioner shall have the right to examine the records of such parties and persons dealing in milk and milk products for the purpose of determining cost.

"No person engaged in the production or distribution of milk or milk products in the course of such business shall, either directly or indirectly, discriminate in price between different producers or distributors of milk or milk products, where the effect of such discrimination may be to substantially lessen competition or create a monopoly; such discrimination is hereby declared to be unlawful; provided, however, that nothing herein contained shall prevent discrimination in price between producers or distributors of the same class, on account of reasonable difference in grade, quality, or quantity of the products or that makes due allowance for differences in the cost of selling or transporting, or discrimination in price in the same or different communities made in good faith to meet legitimate competition; and provided further, that nothing herein contained shall prevent such persons engaged in buying or selling milk or milk products from selecting their own customers in bona fide transactions and not in restraint of trade.

"Sec. 4. It shall not be lawful for any person to engage in the business of distributing fluid milk or sweet cream in any city or town where there exists standard ordinances, or rules and regulations, governing the sale and distribution of milk without first procuring an annual certificate of authority from the Commissioner of Agriculture, and before issuing such certificate the Commissioner shall satisfy himself that said applicant is meeting the requirements of said ordinance, or rules and regulations adopted in such city or town.

"Sec. 5. The Commissioner shall have the power and authority, and it shall be his duty, to prevent the purchase or sale of milk or milk products in this State in violation of Section 3 or 4 of this Act. Upon the written request of one representative producer, one representative distributor, and one representative consumer, it shall be the duty of the Commissioner to conduct a hearing, either in person or by certified transcripts and proper affidavits, to determine whether or not Sections 3 and 4 of this Act have been violated. The hearing shall be conducted at a place and at a time determined by the Commissioner, and he shall have the right to subpoena witnesses. Upon the conclusion of such hearing the Commissioner shall have the power to make and enter proper orders, revoking the license of any person found to have violated Sections 3 or 4 of this Act, and to determine when and upon what conditions such license may be renewed. All orders made and entered by the Commissioner shall be final unless written protest by such interested person shall be made to the Commissioner within thirty days after the hearing. It shall be the duty of the Commissioner, within five days after said protest, either to modify or withdraw such order, or refuse to modify or withdraw such orders, and if such orders are not modified or withdrawn, the interested person, or persons, shall have the right to appeal to the district court in which such protesting party resides, for relief, which shall be secured under a trial de novo. In such suit the Commissioner shall be represented by the Attorney General.

"Sec. 6. Any person who shall violate any provisions of this Act shall be subject to a fine of not more than one hundred dollars (\$100), and each

wrongful sale as herein above defined shall constitute a separate offense; provided, however, that no person shall be liable for any fine until after a fair and complete hearing before a regularly constituted court of this State.

"Sec. 7. The certificate of authority shall state the minimum daily gallonage of fluid milk and sweet cream aggregately that may be handled as herein provided by the person or corporation to whom it is issued. It shall be unlawful for any such person, firm, or corporation to handle, during any day, an amount of fluid milk and sweet cream in excess of the minimum daily gallonage authorized by said certificate of authority. The gallonage of fluid milk and sweet cream handled shall be determined by the amount of such fluid milk and sweet cream aggregately which is purchased by the person or corporation which engaged in the business of distributing fluid milk or sweet cream, except that if the milk distributor produces such fluid milk or sweet cream, then the gallonage handled shall be determined by the amount of such fluid milk and sweet cream aggregately which is sold by such milk distributor.

"Sec. 8. For the purpose of defraying the expenses of administering and enforcing this Act, every milk distributor now operating, or which shall hereafter operate in this State, shall, in addition to other fees and charges provided for by law, at the time of the issuance of a certificate of authority as provided herein, and annually thereafter, on or between September 1 and September 15 of each calendar year, pay a fee computed on the basis of not to exceed 10 cents per gallon of the maximum daily gallonage of fluid milk and sweet cream, which such milk distributor may be authorized to handle. If the certificate of authority is issued after the month of September of any year, the fees shall be proportionate to the remaining part of the year ending August 31 following, but in no case less than one-fourth (¼) of the annual fee; provided, that said certificate may be amended at any time so as to allow any necessary increase, upon the payment of additional fees at the rate herein provided.

"All fees accruing hereunder shall be payable to the State Treasurer at Austin, Texas, and shall, by the State Treasurer, be deposited in the State

Treasury at Austin, and credited to the Fund to be known and designated as the 'Milk Distribution Fund,' and out of which all warrants for expenditures necessary in administering and enforcing this Act shall be paid. Such warrants shall be drawn by the Comptroller of Public Accounts on order or voucher approved by the Commissioner of Agriculture. Any surplus remaining in the Milk Distribution Fund, at the end of any fiscal year, after paying all expenditures necessary in administering and enforcing this Act, together with such sum as may be reasonably estimated to be necessary for such purposes by the Commissioner pending further collection of fees, shall be paid over to the General Revenue Fund.

"Sec. 9. The Commissioner shall have the power and authority, and it shall be his duty to do and perform all necessary things to carry out the purpose, intent, and provisions of this Act, whether herein specifically mentioned or not, and in addition to the other penalties herein provided, the Attorney General, at the direction of the Commissioner, shall enjoin any practice or method violative of this Chapter in a court of competent jurisdiction in the county where such violations occur.

"Sec. 10. If any section or provision of this Act should be declared unconstitutional or invalid, for any reason, it shall not affect any other provision or portion of this Act, and the same shall remain in full force and effect.

"Sec. 11. All laws or parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 12. The importance of this Act, and the fact that there is no law regulating the production and distribution of fluid milk and sweet cream, and the necessity for protecting and safeguarding the health of the people of this State in the regulated production of sanitary milk create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Anderson of Johnson offered the following amendments to the committee amendment:

(1)

Amend committee amendment No. 1 to House Bill No. 831, Section 1, by adding a new paragraph, to be known as paragraph (f), and to read as follows:

"(f) The term 'milk distributor,' when used in this Act, means any person or corporation, as herein defined, who engages in the process of placing fluid milk or sweet cream in bottles or containers of less size than one gallon capacity for the purpose of selling, or offering for re-sale, such fluid milk or sweet cream in such bottles or containers, or who purchase fluid milk or sweet cream in containers of a capacity of one gallon or more for the purpose of re-selling, or offering for re-sale, such fluid milk or sweet cream in any size bottle or container, and any such person or corporation shall be deemed to be engaged in the business of distributing fluid milk or sweet cream."

(2)

Amend committee amendment No. 1 to House Bill No. 831, Section 8, line 9, by striking out the words and figure "ten cents (10c)," and substituting in lieu thereof the words and figure "three cents (3c)."

The amendments were severally adopted.

Mr. Tarwater offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 831, as follows: At the end of Subsection (b) Section 1, line 33, page 1, change the period to comma, and add the following: "provided, however, the purchase and/or sale of buttermilk and/or goat milk are hereby exempt from all provisions of this Act."

TARWATER,  
PATTERSON.

The amendment was adopted.

Mr. Burns offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 831 by adding a new Section, to be numbered Section —:

"Section —. It is especially provided that nothing herein shall in any manner affect, alter, diminish, change, or modify the anti-trust and/or monopoly statutes of this State, and that no provision of this Act shall in any manner, directly or indirectly, authorize a violation of such anti-trust and/or monopoly statutes, and in this connection it is hereby declared, and especially provided by the Legislature of the State of Texas enacting this legislation, that it is the intent of said Legislature that no provision of this Act shall in any manner affect, alter, diminish, or amend any provision of anti-trust and/or monopoly statutes of this State, or in any manner authorize a violation of such anti-trust and/or monopoly statutes; it is further especially provided, that if any provision of this Act shall be so construed by any court of this State as to in any manner affect, alter, diminish, modify any provision of anti-trust and/or monopoly statutes of this State, then, in that event, any such section, subsection, sentence, or clause, or any provision of this Act so construed, if conflicting with said monopoly and/or anti-trust statutes, it is hereby declared null and void rather than the anti-trust and/or monopoly statutes of this State."

The amendment was adopted.

Mr. Vaughan offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 831 by striking out Section 4 thereof.

On motion of Mr. Anderson of Johnson, the amendment was tabled.

Mr. Tarwater offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 831 by striking out, in line 11, page 3, Section 4, all after and including the word "and," and the remaining lines of this Section.

The amendment was adopted.

The committee amendment as amended was then adopted.

Mr. Anderson of Johnson offered the following committee amendment to the bill:

Amend House Bill No. 831 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 831,

A BILL

To Be Entitled

An Act, the purpose of which is to safeguard the health of the people of this State by insuring the sanitary and healthful production and distribution of fluid milk and sweet cream; defining 'fluid milk,' 'sweet cream,' 'butter fat,' and 'milk distributors'; providing for the regulations of the sale and distribution of milk and sweet cream in city or town in which the distribution of milk is governed by a standard ordinance, rule, or regulations, and providing for a certificate of authority to be issued by the Commissioner of Agriculture, authorizing the distribution of milk and sweet cream in such city or town; preventing the sale of milk and sweet cream below cost; preventing the discrimination in price between different producers or distributors, or between different sections; providing fees to be paid by the distributors, which shall be used in the enforcement of this Act; providing penalties for violation of the provisions of this Act, and declaring an emergency."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Mr. Metcalfe moved the previous question on the engrossment of the bill, and the motion was not seconded.

Mr. Tarwater moved the previous question on the passage of the bill to engrossment, and the main question was ordered.

House Bill No. 831 was then passed to engrossment by the following vote:

Yeas—83

Adamson.	Canon.
Alexander.	Cathey.
Anderson	Caven.
of Bexar.	Chastain.
Anderson	Colson.
of Johnson.	Crossley.
Baker.	Daniel.
Barrett.	Davidson.
Bedford.	Dean.
Bourne.	Dunlap.
Bradley.	Duvall.
Calvert.	Engelhard.

Fain.	McClain.
Few.	McDougald.
Ford.	Metcalf.
Fuchs.	Mitcham.
Golson.	Moore.
Goodman.	Morrison.
Greathouse.	Morse.
Griffith.	Pavlica.
Hankamer.	Pope.
Harris.	Ramsey.
Hartzog.	Ray.
Hester.	Reader.
Hill of Webb.	Roberts.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Ross.
Hughes.	Scott.
Hunt.	Shannon.
James.	Shults.
Jefferson.	Smith.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Sullivant.
Jones of Shelby.	Tarwater.
Kayton.	Thomas.
Kyle of Palo Pinto.	Turlington.
Lemens.	Weinert.
Lotief.	Wood.
Mackay.	Young.
Mathis.	

## Nays—40

Aikin.	Magee.
Alsup.	McCullough.
Beck.	Merritt.
Burns.	Munson.
Camp.	Palmer.
Coombes.	Patterson.
Devall.	Puryear.
Dunagan.	Ratliff.
Glass.	Reed of Bowie.
Good.	Reed of Dallas.
Haag.	Renfro.
Harrison.	Rogers of Hunt.
Hicks.	Russell.
Huddleston.	Tennyson.
Hyder.	Tillery.
Kyle of Hays.	Townsend.
Laird.	Vaughan.
Latham.	Wagstaff.
Lindsey.	Walker.
Long.	Winningham.

## Absent

Barron.	Holloway.
Butler.	Jackson.
Celaya.	Leonard.
Clayton.	McGregor.
Cowley.	McKee.
Dwyer.	Moffett.
Graves.	Nicholson.
Harman.	Parkhouse.
Head.	Riddle.
Hill of Brazoria.	Savage.

Scarborough.	Van Zandt.
Stinson.	Wells.

Absent—Excused

Fisher.	Johnson
	of Dimmit.

MOTION TO TAKE UP HOUSE  
BILL NO. 831

Mr. Anderson of Johnson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 831 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—95

Alexander.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Bexar.	Hunt.
Anderson	Hyder.
of Johnson.	James.
Baker.	Jefferson.
Barrett.	Johnson
Bedford.	of Anderson.
Bourne.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Palo Pinto.
Canon.	Lemens.
Caven.	Long.
Chastain.	Lotief.
Colson.	Mackay.
Crossley.	Mathis.
Daniel.	McClain.
Davidson.	McDougald.
Dean.	Metcalf.
Devall.	Mitcham.
Dunlap.	Moore.
Duvall.	Morse.
Engelhard.	Pavlica.
Fain.	Pope.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reader.
Golson.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Haag.	Rollins.
Harris.	Ross.
Hartzog.	Scott.
Hester.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Smith.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stovall.

Sullivant.  
Tarwater.  
Thomas.  
Tillery.  
Townsend.  
Turlington.

Wagstaff.  
Walker.  
Weinert.  
Wood.  
Young.

#### Nays—29

Adamson.  
Aikin.  
Beck.  
Cathey.  
Coombes.  
Dunagan.  
Good.  
Hankamer.  
Hicks.  
Jackson.  
Kyle of Hays.  
Laird.  
Latham.  
Lindsey.  
Magee.

McCullough.  
Merritt.  
Morrison.  
Munson.  
Palmer.  
Patterson.  
Puryear.  
Reed of Bowie.  
Reed of Dallas.  
Renfro.  
Russell.  
Tennyson.  
Vaughan.  
Winningham.

#### Absent

Barron.  
Camp.  
Celaya.  
Clayton.  
Cowley.  
Dwyer.  
Graves.  
Harman.  
Harrison.  
Head.  
Holloway.  
Leonard.

McGregor.  
McKee.  
Moffett.  
Nicholson.  
Parkhouse.  
Riddle.  
Savage.  
Scarborough.  
Stinson.  
Van Zandt.  
Wells.

#### Absent—Excused

Fisher.

Johnson  
of Dimmit.

#### PROVIDING FOR ADJOURNMENT SINE DIE

Mr. Mathis offered the following resolution:

H. C. R. No. 86, Providing for adjournment sine die.

Whereas, The 120 days, provided in the Constitution of the State of Texas, as the duration of a Regular Session of the Legislature, have expired; and

Whereas, By continuing in session the Legislature is causing the taxpayers of the State of Texas to needlessly expend many thousands of dollars; and

Whereas, Most of the major issues before the Legislature during the Forty-third Regular Session have been, or will be, disposed of; and

Whereas, The appropriation bills are now in free conference, and will soon be ready for action by the two Houses; and

Whereas, There is a growing demand on the part of the people of the State of Texas for an early adjournment of this session; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-third Legislature stand adjourned sine die at 12 o'clock noon, on May 20, 1933.

The resolution was read second time.

Mr. Reed of Dallas and Mr. Burns offered the following amendment to the resolution:

Amend resolution by striking out "May 20," and substituting in lieu thereof "June 1, 1933, 6 p. m."

BURNS,  
REED of Dallas.

The amendment was lost.

Question recurring on the resolution, it was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 65, Authorizing the State Auditor to make an audit of the investments and securities held for the benefit of the Permanent School Fund by the State of Texas.

The Senate has passed

S. B. No. 24, A bill to be entitled "An Act to repeal Chapter 97, Senate Bill No. 18, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

(Speaker in the Chair.)

#### HOUSE BILL NO. 91 ON SECOND READING

On motion of Mr. Steward, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 91, A bill to be entitled "An Act fixing the salary of the official court reporter in each judicial district composed of one county only, and in which county there is only one district court; and also in each judicial district composed of two or more counties; and also in each judicial district composed of one county, which county composes also a portion of another judicial district, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill be passed to engrossment?

#### MOTION TO INTRODUCE A BILL

Mr. Pope moved to reconsider the vote by which the motion, on this morning, to introduce a bill relative to the qualifications for voting, etc., was lost.

The motion to reconsider prevailed by the following vote:

#### Yeas—95

Alexander.	Hester.
Alsup.	Hicks.
Anderson	Hill of Brazoria.
of Johnson.	Hill of Webb.
Baker.	Holekamp.
Barron.	Holland.
Bedford.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Calvert.	Hunt.
Cathey.	Hyder.
Caven.	Jackson.
Celaya.	James.
Colson.	Jefferson.
Cowley.	Johnson
Crossley.	of Anderson.
Daniel.	Jones of Atascosa.
Davidson.	Jones of Shelby.
Dean.	Kayton.
Devall.	Kyle of Palo Pinto.
Dunlap.	Long.
Dunagan.	Lotief.
Dwyer.	Mackay.
Engelhard.	Mathis.
Fain.	McClain.
Ford.	McCullough.
Fuchs.	Merritt.
Glass.	Moore.
Good.	Morse.
Greathouse.	Patterson.
Griffith.	Pavlica.
Haag.	Pope.
Hankamer.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.

Reader.	Stanfield.
Reed of Bowie.	Steward.
Renfro.	Stinson.
Roberts.	Stovall.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Scarborough.	Turlington.
Shannon.	Wagstaff.
Shults.	Walker.
Smith.	Young.

#### Nays—26

Adamson.	Latham.
Aikin.	Lemens.
Barrett.	Lindsey.
Bourne.	Magee.
Canon.	Metcalfe.
Chastain.	Morrison.
Coombes.	Palmer.
Few.	Rollins.
Golson.	Scott.
Harman.	Sullivant.
Hodges.	Vaughan.
Jones of Runnels.	Winningham.
Kyle of Hays.	Wood.

#### Present—Not Voting

Savage.

#### Absent

Anderson	McDougald.
of Bexar.	McGregor.
Beck.	McKee.
Butler.	Mitcham.
Camp.	Moffett.
Clayton.	Munson.
Duvall.	Nicholson.
Goodman.	Parkhouse.
Graves.	Reed of Dallas.
Head.	Riddle.
Holloway.	Van Zandt.
Laird.	Weinert.
Leonard.	Wells.

#### Absent—Excused

Fisher.	Johnson
	of Dimmit.

Mr. Pope then moved to introduce the bill, at this time, and have it placed on first reading.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

#### Yeas—96

Alexander.	Barron.
Alsup.	Bedford.
Anderson	Bradley.
of Bexar.	Burns.
Baker.	Calvert.

Cathey.	Laird.
Caven.	Long.
Celaya.	Lotief.
Chastain.	Mackay.
Colson.	Mathis.
Cowley.	McClain.
Crossley.	McCullough.
Daniel.	Merritt.
Davidson.	Mitcham.
Dean.	Moore.
Devall.	Morse.
Dunlap.	Patterson.
Dunagan.	Pavlica.
Dwyer.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reader.
Good.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Roberts.
Hankamer.	Rogers of Hunt.
Harris.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Ross.
Hester.	Russell.
Hicks.	Scarborough.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Holekamp.	Smith.
Holland.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stinson.
Hughes.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Palo Pinto.	Young.

## Nays—28

Adamson.	Latham.
Aikin.	Lemens.
Barrett.	Lindsey.
Bourne.	Magee.
Camp.	Metcalfe.
Canon.	Morrison.
Coombes.	Palmer.
Few.	Rollins.
Golson.	Scott.
Harman.	Stovall.
Hodges.	Sullivant.
Hunt.	Vaughan.
Jones of Runnels.	Winningham.
Kyle of Hays.	Wood.

## Present—Not Voting

Goodman.	Savage.
Johnson of Anderson.	

## Absent

Anderson	McGregor.
of Johnson.	McKee.
Beck.	Moffett.
Butler.	Munson.
Clayton.	Nicholson.
Duvall.	Parkhouse.
Graves.	Riddle.
Head.	Van Zandt.
Holloway.	Weinert.
Leonard.	Wells.
McDougald.	

## Absent—Excused

Fisher.	Johnson
	of Dimmit.

Mr. Anderson of Bexar moved to reconsider the vote by which the motion was lost, and asked to have the motion to reconsider spread on the Journal.

## MOTION TO TAKE UP HOUSE BILL NO. 831

Mr. James moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 831 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—92

Alexander.	Fain.
Alsup.	Few.
Anderson	Ford.
of Bexar.	Fuchs.
Anderson	Glass.
of Johnson.	Golson.
Baker.	Goodman.
Barrett.	Greathouse.
Barron.	Griffith.
Bedford.	Haag.
Bourne.	Harris.
Bradley.	Hartzog.
Burns.	Hester.
Calvert.	Hill of Brazoria.
Canon.	Hill of Webb.
Cathey.	Hodges.
Caven.	Holekamp.
Celaya.	Holland.
Chastain.	Hoskins.
Colson.	Hughes.
Cowley.	Hunt.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Johnson
Devall.	of Anderson.
Dunlap.	Jones of Atascosa.
Dwyer.	Jones of Runnels.
Engelhard.	Jones of Shelby.

Kayton.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers
Lemens.	of Ochiltree.
Lotief.	Rollins.
Mackay.	Ross.
Mathis.	Scott.
McClain.	Shannon.
McDougald.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moore.	Steward.
Palmer.	Stovall.
Pavlica.	Sullivan.
Pope.	Tarwater.
Ramsey.	Thomas.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reader.	Wagstaff.
Reed of Dallas.	Walker.
Roberts.	Wood.

## Nays—28

Adamson.	Lindsey.
Aikin.	Magee.
Coombes.	McCullough.
Dunagan.	Merritt.
Good.	Morrison.
Hankamer.	Patterson.
Harrison.	Puryear.
Hicks.	Reed of Bowie.
Huddleston.	Renfro.
Hyder.	Russell.
Jackson.	Tennyson.
Kyle of Hays.	Townsend.
Laird.	Vaughan.
Latham.	Winningham.

## Present—Not Voting

Crossley.

## Absent

Beck.	Moffett.
Butler.	Morse.
Camp.	Munson.
Clayton.	Nicholson.
Duvall.	Parkhouse.
Graves.	Riddle.
Harman.	Savage.
Head.	Scarborough.
Holloway.	Stinson.
Leonard.	Tillery.
Long.	Weinert.
McGregor.	Wells.
McKee.	Young.

## Absent—Excused

Fisher.	Johnson
	of Dimmit.

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and

referred to the appropriate committee, as follows:

Senate Bill No. 24, to the Committee on Education.

## ADJOURNMENT

On motion of Mr. Dwyer, the House, at 6 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Banks and Banking: Senate Bill No. 551.

Counties: House Bills Nos. 851 and 933.

Education: Senate Bill No. 259.

School Districts: House Bill No. 934.

Judicial Districts: House Bill No. 931.

Revenue and Taxation: House Bills Nos. 638 and 924.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, May 9, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 329, A bill to be entitled "An Act to amend Sections 7, 20, 23, and 24, of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, and Sections 16 and 17, of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, as amended by Chapter 15, General Laws, Forty-first Legislature, Fifth Called Session, and Section 28, of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, as amended by Chapter 62, General Laws, Forty-first Legislature, Second Called Session, relating to regulating the avocation and art of barbering, prescribing such sanitary rules and regulations in order to insure the proper sanitary conditions and to prevent the spreading of diseases; providing additional qualifications for applicants for cer-

tificates of registration to practice barbering; providing for an increased registration fee; providing for an increased renewal fee; making a violation of Section 19 of this Act unlawful, and providing a penalty therefor; and providing for enforcement of the sanitary rules and regulations made, established, and promulgated by the State Board of Health, as heretofore provided for, through, and by the State Board of Barber Examiners; repealing all laws or parts of laws in conflict herewith; if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, May 9, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 717, A bill to be entitled "An Act to amend Articles 2592 and 2593-a, Revised Civil Statutes of Texas, 1925, as amended by Chapter 42, Section 1, General Laws of the Regular Session, Forty-second Legislature, page 63, so as to permit expenditure of a part of the University Available Fund for the salaries of officers, teachers, and employes, and for general maintenance of The University of Texas and the Agricultural and Mechanical College, same to be in addition to the purposes for which expenditure of said fund has been heretofore authorized; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, May 8, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 464, A bill to be entitled "An Act to reorganize and simplify the organization and operations of the Executive Department of the State Government, to provide for better service and economy through the enactment of an administrative code,

providing for nineteen administrative departments; redistributing the powers and duties of the existing offices, departments, boards, commissions, institutions, and other agencies among them; abolishing certain offices, departments, boards, commissions, institutions, and other agencies; creating certain others; continuing certain others; transferring certain others; defining the organization, powers, and duties of offices, departments, boards, commissions, and other agencies that are hereby created or retained, and providing for their coordination; fixing terms of office, methods of appointment and election, duties, and qualifications of offices and positions, and providing the methods of fixing the compensation thereof; prescribing methods and procedure to be followed in budget making, financial control, purchasing, personnel, taxation, treasury administration, and other matters; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; prescribing penalties; repealing Chapter 293, of the General and Special Laws of the Fortieth Legislature, Chapter 185, of the General and Special Laws of the Forty-first Legislature, Chapters 47 and 255, of the General Laws of the Forty-second Legislature, Articles 75, 2605, 5891, and 7019, of the Revised Civil Statutes of 1925, so much of Article 3192 thereof as relates to the Dallas State Hospital, and so much of Article 3068 thereof as relates to the State Board of Canvassers, and all other laws and parts of laws in conflict with the provisions of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 71, Granting John Minica permission to sue the State,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.